

Appl. No. 10/799,653
Amendment dated May 30, 2008
Reply to Office Action of November 2, 2007

ASA-760-03

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REMARKS / ARGUMENTS

Claims 45 and 46 remain pending in this application. Claims 42-44 have been canceled without prejudice or disclaimer. No new claims have been added.

Priority

Applicants appreciate the Examiner's acknowledgment of the claim for priority and safe receipt of the priority document.

Interview

Applicants wish to thank the Examiner for conducting an interview with the undersigned on May 28, 2008. The substance of that which was discussed during the interview is set forth below.

35 U.S.C. § 103

Claim 42 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Arnold (U.S. Patent No. 6,289,452) in view of Benson et al (U.S. Patent No. 5,845,281). Claim 43 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Arnold in view of Benson et al. Claim 44 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Arnold (U.S. Patent No. 6,289,452) in view of Benson et al. Claim 45 stands rejected under 35 U.S.C. §103(a) as being

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unpatentable over Arnold in view of Benson et al in view of Haff et al (U.S. Patent No. 6,219,669. Claim 46 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Arnold in view of Benson et al in view of Haff et al. These rejections are traversed as follows.

As discussed during the interview, none of the cited references disclose the following:

- (i). A digital contents personal using condition management table (such as table 217 in the present application, for example);
- (ii). A digital contents personal using condition retrieval processing unit (such as unit 219 in the present application, for example); or
- (iii). A personal using condition list that is generated for purposes of re-downloading (see Fig. 38).

Therefore, as submitted during the interview, all of the pending claims patentably define the present invention over the cited art. More specifically, Arnold et al disclose providing an electronic license certificate (ELC) from an end user to a server and then validating the ELC by the server. Arnold et al are silent about managing licenses to be used for re-downloading. Arnold et al are also silent with respect to a personal using condition list.

Benson et al is relied upon for disclosing a personal using condition list. In Benson et al, when a user requests to download contents, a provider attaches control information corresponding to the predetermined conditions to the contents. Then, the contents are transferred along with the control information to the user.

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Based on the conditions transmitted in the control information, the contents are either visible or invisible for the user.

Finally, Haff et al merely disclose a resume function of downloading and do not disclose or suggest a personal using condition list.

Therefore, none of the cited references disclose generating a personal using condition list so that a user may re-download content. Also, none of the cited references disclose a digital contents personal using condition management table 217 stored on a server side, with "purchased contents" and "personal using conditions" being stored in correspondence with one another in the table.

Since according to Benson et al's method, control information is attached to the contents when transferred to the user, Benson et al do not need a management table at the server side. Therefore, Benson et al do not disclose any such management table at the server side.

In order to further prosecution of the application, claims 45 and 46 remain pending and have been amended as suggested by the Examiner to further distinguish over the references. It is submitted that these claims clearly and patentably define the present invention over the cited art.

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Conclusion

In view of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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